

UNITED STATES DISTRICT COURT
For the Northern District of Illinois
Eastern Division

ANGELA PARKER, individually and)	
as special administrator of)	NO: 2017 CV 8550
the Estate of SAMANTHA PARKER, deceased.)	
)	Judge Rebecca Pallmeyer
Plaintiff,)	
)	Magistrate Judge Jeffery Cole
vs.)	
)	
ZOLL SERVICES, LLC,)	
RENAISSANCE AT MIDWAY, INC., et al.)	
)	
Defendants.)	

**PLAINTIFF'S MOTION TO APPROVE PARTIAL SETTLEMENT OF WRONGFUL
DEATH CAUSE OF ACTION; APPROVE DISTRIBUTION OF FUNDS; AND
DISMISS RENAISSANCE AT MIDWAY, INC.**

Plaintiff, ANGELA PARKER, individually and as special administrator of the Estate of SAMANTHA PARKER, deceased, by and through her attorneys, GOLDBERG & GOLDBERG, moves this Court for leave to accept and distribute \$35,000.00 in partial settlement of this cause of action by the ANGELA PARKER, individually and as special administrator of the Estate of SAMANTHA PARKER, deceased., as full settlement against Defendant, RENAISSANCE AT MIDWAY, INC. and continue this matter against all remaining Defendants. Plaintiff states:

1. On October 17, 2015, Samantha Parker, a 25 year old diagnosed with congestive heart failure, requiring her to wear a Zoll LifeVest 4000 provided to Samantha Parker at RENAISSANCE AT MIDWAY, INC. (a.k.a. Symphony at

Midway). Ms. Parker's Zoll LifeVest failed to deliver a therapeutic shock for more than 19 minutes during a cardiac event which ultimately caused her death.

2. Based upon the facts and circumstances of this case, Plaintiff and her attorneys have agreed that the settlement offer of \$35,000.00 by the Defendant, RENAISSANCE AT MIDWAY, INC. is reasonable and recommend it to the Court. Plaintiff states that the proposed settlement has been fully explained to ANGELA PARKER, by her attorneys and that she understands its terms

3. Plaintiff entered into a contingency fee agreement with their attorneys, wherein Plaintiff requests attorney's fees in the amount of \$11,666.66.00.

4. Plaintiffs have incurred reasonable and necessary expenses in the amount of \$5,336.54. (Attached as Exhibit A). Plaintiff requests reimbursement of half of these expenses (\$2,668.27) at this time, given the Zoll defendants remain in this cause of action.

5. At the time of her death, SAMANTHA PARKER left surviving her:

Angela Parker - Mother
Bernard Parker - Brother
David Metcalf - Brother
DeAngelo Metcalf - Brother
Derrick Metcalf - Brother
Donetello Metcalf - Brother

6. Plaintiff requests that the partial settlement net proceeds be allocated to the wrongful death claim of \$20,665.07 be distributed as follows:

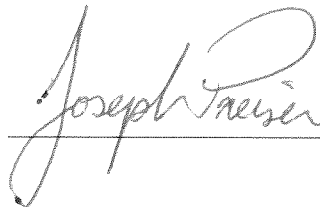
Angela Parker - Mother - 40% - \$8,266.02
Bernard Parker - Brother - 12% - \$2,479.81
David Metcalf - Brother - 12% - \$2,479.81
DeAngelo Metcalf - Brother - 12% - \$2,479.81
Derrick Metcalf - Brother - 12% - \$2,479.81

Donetello Metcalf – Brother – 12% - \$2,479.81

7. ANGELA PARKER, individually and as special administrator of the Estate of SAMANTHA PARKER, was consulted and agrees with this distribution.

8. Plaintiff requests that Defendant, RENAISSANCE AT MIDWAY, INC. be dismissed with prejudice and that the cause proceed with all other remaining Defendants.

WHEREFORE, Plaintiff, ANGELA PARKER, prays for entry of an Order approving the partial settlement of this cause, approving attorney's fees and litigation expenses incurred and making findings of dependency, approving the distribution of the settlement proceeds in this cause and dismissing Defendant, RENAISSANCE AT MIDWAY, INC. with prejudice, and continue this matter against all remaining Defendants.

A handwritten signature in cursive script, reading "Joseph Preiser", is written above a horizontal line.

Joseph M. Preiser
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